



## MINUTES OF THE SOLID WASTE BOARD MEETING

Indiana Government Center South  
402 West Washington Street  
Conference Center Room A  
Indianapolis, Indiana  
February 19, 2002

The meeting was called to order by Chairperson Jeffry Carter. Those present for all or part of the meeting were:

Mr. Michael Carnahan  
Ms. Linda Cosgrove  
Mr. Rick Dyar  
Mayor William Graham  
Mr. Charles Himes  
Mr. Jeff Langbehn  
Mr. Thomas Hohman (Proxy, Department of Natural Resources)  
Ms. Michaela Kendall (Proxy, Lieutenant Governor's Office)  
Ms. Deborah Albright, Board Counsel

A quorum was present.

In addition, the following IDEM staff members were present for all or part of the meeting:

Mr. Bruce Palin, Deputy Assistant Commissioner, Office of Land Quality  
Ms. Lynn West, Operations and Information Branch, Rules, Planning and Outreach Section  
Mr. Steve Mojonnier, Operations and Information Branch, Rules, Planning and Outreach Section  
Ms. Marjorie Samuel, Operations and Information Branch, Rules, Planning and Outreach Section  
Mr. John Crawford, Acting Section Chief, Industrial Waste Group Section #2, Compliance and Response Branch

Chairperson Carter opened the meeting at 1:30 p.m. He welcomed Ms. Michaela Kendall, the new Lieutenant Governor's Office proxy, who replaces Ms. Melanie Solmos.

1. Chairperson Carter than asked for additions or corrections to the minutes of the Solid Waste Management Board meeting of October 16, 2001. APPROVAL OF MINUTES  
There being none, Mr. Chuck Himes moved that the minutes be adopted and Mr. Tom Hohman seconded. The motion passed unanimously.
2. Chairperson Carter then asked ASSISTANT COMMISSIONER'S REPORT  
Mr. Bruce Palin to address the Board. Mr. Palin said that, in order to consolidate application of storm water rules and avoid duplication of effort, attempts are underway to revise the municipal solid waste landfill ( MSWLF) rules to incorporate storm water rules not previously covered. With this accomplished, MSWLFs would no longer have to obtain two permits, one from Office of Water Management and another from the Office of Land Quality, to deal with storm

water management and solid waste. Mr. Palin said there would be external meetings with affected parties to work out consensus and get the rulemaking process started. For a verbatim account of Mr. Palin's remarks, please see pages 4 through 7 of the official transcript of this meeting. He then asked Ms. Lynn West to address the Board.

Ms. West distributed the project list and noted that no new rules were added to the list. She said that the Staging Rule originally noticed for this meeting was postponed and that it will be rescheduled. Ms. West also reported to the Board about an external meeting that was held to discuss potential composting facilities rules. Next, Ms. West said that there would be a meeting on April 16, 2002, at 1:30 p.m. regarding underground storage tank rules. Ms. West mentioned that the October Solid Waste Management Board meeting would be held at the Monroe County Solid Waste Management District offices. She said that the Board would be touring a new bale-fill and learn about the process of developing a construction/demolition redistribution center. There would also be a tour of their recycling center. Finally, Ms. West said that there would be a review of legislation that affects the Office of Land Quality and IDEM at the May Board meeting. For a verbatim account of Ms. West's remarks, please see pages 7 through 10 of the official transcript of this meeting.

Chairperson Carter then announced the following rulemaking action:

- Final adoption of amendments to rules of the Board at 329 IAC 3.1-1-7, 329 IAC 3.1-4-9.1, 329 IAC 3.1-4-17.1, 329 IAC 7.1-7-2, 329 IAC 3.1-9-2, and 329 IAC 3.1-10-2, hereafter known as the Hazardous Waste Management 2001 Hazardous Waste Annual Update.

Chairperson Carter said that the 2001 Hazardous Waste Update Rule, as a proposed rule that was preliminarily adopted by the Solid Waste Management Board and published in the Indiana Register on December 1, 2001, at 25 IR 852, was included in the board packet and is available for public inspection in the Indiana Department of Environmental Management File Room, located on the 12<sup>th</sup> floor of the Indiana Government Center North. Instructions were given to the public regarding offering oral statements and comments to the Board; there were no appearance cards. The court reporter was affirmed.

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| <p>3. Chairperson Carter announced that amendments to rules of the Board at 329 IAC 3.1, the 2001 Hazardous Waste Annual Update, would be considered for final adoption. He introduced Exhibit A, the proposed rule, into the record of the hearing. He then asked Mr. Steve Mojonnier to address the Board.</p> | <p><b>FINAL ADOPTION</b><br/><b>2001 HAZARDOUS WASTE</b><br/><b>ANNUAL UPDATE</b></p> |
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Mr. Mojonnier briefly reviewed the history of the rule and explained that Indiana is authorized under 40 CFR 271 to administer the Hazardous Waste Management Program in lieu of the U.S. EPA. In order to retain that authorization, Indiana is required to keep its program current by adopting federal amendments to the program. Mr. Mojonnier said that this rule amends the hazardous waste management rules to make them consistent with the federal hazardous waste program from July 10, 2000, through May 16, 2001. Of the five federal regulations and one correction adopted in this rule, two have no cost or savings, and

four may significantly reduce costs. There were no changes from the preliminarily adopted rule. For a verbatim account of Mr. Mojonner's presentation, please see pages 13 through 15 of the official transcript of this meeting. Ms. Cosgrove inquired about the status of hazardous waste landfills still operating in Indiana and if there are any new applications for hazardous waste landfills in the state. Mr. Palin answered that he didn't know of any. For a complete account of discussion, please see pages 21 through 24 of the official transcript of this meeting.

Chairperson Carter asked if there were any questions. At this point, Ms. Cosgrove asked about the nature of chlorinated aliphatics. Mr. John Crawford, with the Hazardous Waste Program, responded. He indicated that it is a type of common solvent and is also found in production waste from plants that manufacture that type of material. He also said that he was unaware of any production facilities in Indiana. Please see pages 15 through 16 of the official transcript of this meeting for a verbatim account of this discussion. At this point Chairperson Carter asked for public comment. There were none, and there was no further discussion from the Board, so Chairperson Carter closed the hearing and asked for final action. Mr. Langbehn then moved that the rule be adopted as presented. Ms. Cosgrove seconded. The motion passed unanimously.

4. Chairperson Carter adjourned the meeting at 2:00 p.m.

ADJOURNMENT

The next meeting will be May 21, 2002, at 1:30 p.m., at the Indiana Government Center South, Conference Center Room A, 402 West Washington Street, Indianapolis, Indiana 46204.

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CHAIRPERSON

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TECHNICAL SECRETARY